UNITED STATES PATENT AND TRADEMARK OFFICE

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NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 July 2006*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5,7-9 and 11-17* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-5,7-9 and 11-17* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☒ All   b)☐ Some * c)☐ None of:
      1.☒ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____ .
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date *7/11/2006; 2/5/2010*.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____ .

DETAILED ACTION

1.   **Claims 1-5, 7-9 and 11-17** of this US application are presented for examination.

Information Disclosure Statement

2.   The information disclosure statement (IDS) submitted on 7/11/2006 and

2/5/2010. The submission is in compliance with the provisions of 37 CFR 1.97.

Accordingly, the information disclosure statement is being considered by the examiner.

Examiner Notes

3.   With respect to **claims 1, 2 and 3** which are system claims, the recited "a

memory" in line 4, is interpreted as hardware physical device inherently tied to a

machine or apparatus. Therefore, claims 1-5 and 11-17 are statutory under 35 U.S.C. §

101.

With respect to **claims 7, 8 and 9** which are method claims, examiner notes that

the claimed functions must, inherently, require a computer processor or CPU as taken

in view of page 8 lines 27-29 in the instant disclosure. Therefore, claims 7, 8 and 9 are

statutory under 35 U.S.C. § 101.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   **Claims 1-4, 7-9, 11 and 12** are rejected under 35 U.S.C. 103(a) as being

unpatentable over U.S. Publication Number 2002/0087588 issued to Stephen Larry

McBride et al. ("McBride") in view of U.S. Patent Number 5,745,669 issued to James M.

Hugard et al. ("Hugard").

As per claim 1, McBride teaches *a computer system comprising:*

a first storage unit (40), storing an OS program, an application program, and data

(paragraph [0038] and Figure 1: hard disk drive 26);

a memory (20), for respectively spreading, as necessary, the OS program, an

application program, and data stored in the first storage unit (paragraph [0038] and

Figure 1: memory 14);

a program execution unit (10), performing spread onto the memory and

execution of the OS program when provided with an instruction of starting up the

system, performing spread onto the memory and execution of a specific application

program for which a startup instruction is provided under management of the OS

program spread on the memory, and performing, as necessary, a process of preparing

new data on the memory or modifying existing data on the memory (paragraph [0038]

and Figure 1: a processor or Central Processing Unit ("CPU") 12 that control the overall

functioning of the computer system); *and*

an spreading and storing unit (30), executing, based on an instruction of a

program being executed by the program execution unit, an spreading process of

spreading data, stored in the first storage unit, onto the memory and a storing process

of storing data spread on the memory into the first storage unit (paragraph [0041] and

Figure 1: A hard and floppy disk controller 25 serves as an interface between the CPU

12 and a number of drives);

the computer system further comprising:

a second storage unit (70) for storing backup data (paragraph [0020]: One of the

backup data storage locations may be a hard drive in the host computer or in a

computer networked to the host computer);

a backup management unit (60), monitoring operations of the spreading and

storing unit and performing, when the spreading and storing unit executes the storing

process of storing specific data, spread on the memory, into the first storage unit based

on an instruction of an application program registered in the application registration unit,

a process of redundantly storing a copy of the specific data into the second storage unit

as backup data (paragraph [0015]: The mirroring application monitors the source data

for change and, upon detecting changes to the source data, copies the source data to a

backup data storage location accessed by the host computer via the Internet).

McBride does not explicitly teach an application registration unit (50), registering

one or a plurality of application programs based on an instruction of an operator.

Hugard teaches *an application registration unit (50), registering one or a plurality of application programs based on an instruction of an operator* (column 4, lines 33-47: monitoring user-selected files (e.g., application files) upon request by the user).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of McBride with the teaching of Hugard because it would save the memory or disk drive storage and CPU usage of the computer by monitoring and storing only information about users' selected application programs.

As per claim 2, McBride teaches *a computer system comprising:*

a first storage unit (40), storing an OS program, an application program, and data (paragraph [0038] and Figure 1: hard disk drive 26);

a memory (20), for respectively spreading, as necessary, the OS program, an application program, and data stored in the first storage unit (paragraph [0038] and Figure 1: memory 14);

a program execution unit (10), performing spread onto the memory and execution of the OS program when provided with an instruction of starting up the system, performing spread onto the memory and execution of a specific application program for which a startup instruction is provided under management of the OS program spread on the memory, and performing, as necessary, a process of preparing new data on the memory or modifying existing data on the memory (paragraph [0038]

and Figure 1: a processor or Central Processing Unit ("CPU") 12 that control the overall

functioning of the computer system); *and*

an spreading and storing unit (30), executing, based on an instruction of a

program being executed by the program execution unit, an spreading process of

spreading data, stored in the first storage unit, onto the memory and a storing process

of storing data spread on the memory into the first storage unit (paragraph [0041] and

Figure 1: A hard and floppy disk controller 25 serves as an interface between the CPU

12 and a number of drives);

the computer system further comprising:

a second storage unit (70) for storing backup data (paragraph [0020]: One of the

backup data storage locations may be a hard drive in the host computer or in a

computer networked to the host computer);

a backup management unit (60), monitoring operations of the spreading and

storing unit and performing, when the spreading and storing unit executes the storing

process of storing specific data, with a file name including an extension registered in the

extension registration unit, from the memory into the first storage unit, a process of

redundantly storing a copy of the specific data into the second storage unit as backup

data (abstract and paragraph [0022]: A data file mirroring application that monitors data

files stored in a source directory for archiving to at least two other backup data storage

locations).

McBride does not explicitly teach an extension registration unit (55), registering, based on an instruction of an operator, one or a plurality of extensions among file name extensions associated with application programs.

Hugard teaches *an extension registration unit (55), registering, based on an instruction of an operator, one or a plurality of extensions among file name extensions associated with application programs* (column 5, lines 27-31: files which have file extensions which are provided by the user as files to be monitored).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of McBride with the teaching of Hugard because it would save the memory or disk drive storage and CPU usage of the computer by monitoring and storing only information about users' selected files.

As per claim 3, McBride teaches *a computer system comprising:*

a first storage unit (40), storing an OS program, an application program, and data (paragraph [0038] and Figure 1: hard disk drive 26);

a memory (20), for respectively spreading, as necessary, the OS program, an application program, and data stored in the first storage unit (paragraph [0038] and Figure 1: memory 14);

a program execution unit (10), performing spread onto the memory and execution of the OS program when provided with an instruction of starting up the system, performing spread onto the memory and execution of a specific application program for which a startup instruction is provided under management of the OS

program spread on the memory, and performing, as necessary, a process of preparing

new data on the memory or modifying existing data on the memory (paragraph [0038]

and Figure 1: a processor or Central Processing Unit ("CPU") 12 that control the overall

functioning of the computer system); *and*

an spreading and storing unit (30), executing, based on an instruction of a

program being executed by the program execution unit, an spreading process of

spreading data, stored in the first storage unit, onto the memory and a storing process

of storing data spread on the memory into the first storage unit (paragraph [0041] and

Figure 1: A hard and floppy disk controller 25 serves as an interface between the CPU

12 and a number of drives);

the computer system further comprising:

a second storage unit (70) for storing backup data (paragraph [0020]: One of the

backup data storage locations may be a hard drive in the host computer or in a

computer networked to the host computer);

a backup management unit (60), monitoring operations of the spreading and

storing unit and performing, when the spreading and storing unit executes the storing

process of storing specific data, with a file name including an extension registered in the

extension registration unit, from the memory into the first storage unit based on an

instruction of an application program registered in the application registration unit, a

process of redundantly storing a copy of the specific data into the second storage unit

as backup data (abstract and paragraph [0022]: A data file mirroring application that

monitors data files stored in a source directory for archiving to at least two other backup

data storage locations).

McBride does not explicitly teach an application registration unit (50), registering

one or a plurality of application programs based on an instruction of an operator; and an

extension registration unit (55), registering, based on an instruction of an operator, one

or a plurality of extensions among file name extensions associated with application

programs.

Hugard teaches *an application registration unit (50), registering one or a plurality*

of application programs based on an instruction of an operator (column 4, lines 33-47:

monitoring user-selected files (e.g., application files) upon request by the user); *and an*

extension registration unit (55), registering, based on an instruction of an operator, one

or a plurality of extensions among file name extensions associated with application

programs (column 5, lines 27-31: files which have file extensions which are provided by

the user as files to be monitored).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the system of McBride with the teaching of Hugard

because it would save the memory or disk drive storage and CPU usage of the

computer by monitoring and storing only information about users' selected application

programs or files.

As per claim 4, McBride teaches *a new file name is generated by changing,*

based on a predetermined algorithm, an extension portion included in a file name of

data stored into the first storage unit (40) and storing the backup data into the second

storage unit (70) using the new file name (paragraph [0074]: filenames on the mirror

disk have a revision number placed after the filename and before the extension).

    As per claim 7, McBride teaches *an automatic data backup method for making*

data be backed up automatically in a computer system having a function of making a

desired application program be executed under management of an OS program (see

abstract and paragraph [0038]), *the backup method comprising:*

    an application judgment step for making the computer system judge, when the

computer system executes a storing process of storing specific data into a

predetermined storage location, whether or not the storing process is based on an

instruction of an application program that has been registered in the application

registration step (paragraph [0015]: the mirroring application monitors the source data

for change); *and*

    a backup step for making the computer system redundantly store a copy of the

specific data as backup data into a location that differs from said storage location when

a positive judgment result is obtained in the application judgment step (paragraph

[0015]: upon detecting changes to the source data, copies the source data to a backup

data storage location accessed by the host computer via the Internet).

    McBride does not explicitly teach an application registration step for making one

or a plurality of application programs, among application programs to be executed, be

registered by the computer system based on an instruction of an operator.

Hugard teaches *an application registration step for making one or a plurality of application programs, among application programs to be executed, be registered by the computer system based on an instruction of an operator* (column 4, lines 33-47: monitoring user-selected files (e.g., application files) upon request by the user).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of McBride with the teaching of Hugard because it would save the memory or disk drive storage and CPU usage of the computer by monitoring and storing only information about users' selected application programs.

As per claim 8, McBride teaches *an automatic data backup method for making data be backed up automatically in a computer system having a function of making a desired application program be executed under management of an OS program* (see abstract and paragraph [0038]), *the backup method comprising:*

an extension judgment step for making the computer system judge, when the computer system executes a storing process of storing specific data into a predetermined storage location, whether or not the specific data has a file name including an extension that has been registered in the extension registration step (see abstract and paragraph [0022]: a data file mirroring application that monitors data files stored in a source directory); *and*

a backup step for making the computer system redundantly store a copy of the specific data as backup data into a location that differs from said storage location when

a positive judgment result is obtained in the extension judgment step (see abstract and

paragraph [0022]: upon detecting changes to the source data, copying the source data

to two or more backup data storage locations).

McBride does not explicitly teach an extension registration step for making one or

a plurality of extensions, among file name extensions associated with application

programs to be executed, be registered by the computer system based on an instruction

of an operator.

Hugard teaches *an extension registration step for making one or a plurality of*

extensions, among file name extensions associated with application programs to be

executed, be registered by the computer system based on an instruction of an operator

(column 5, lines 27-31: files which have file extensions which are provided by the user

as files to be monitored).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the method of McBride with the teaching of Hugard

because it would save the memory or disk drive storage and CPU usage of the

computer by monitoring and storing only information about users' selected files.

As per claim 9, McBride teaches *an automatic data backup method for making*

data be backed up automatically in a computer system having a function of making a

desired application program be executed under management of an OS program (see

abstract and paragraph [0038]), *the backup method comprising:*

an application judgment step for making the computer system judge, when the

computer system executes a storing process of storing specific data into a

predetermined storage location, whether or not the storing process is based on an

instruction of an application program that has been registered in the application

registration step (paragraph [0015]: the mirroring application monitors the source data

for change);

an extension judgment step for making the computer system judge, when the

computer system executes a storing process of storing specific data into a

predetermined storage location, whether or not the specific data has a file name

including an extension that has been registered in the extension registration step

(abstract and paragraph [0022]: a data file mirroring application that monitors data files

stored in a source directory); *and*

a backup step for making the computer system redundantly store a copy of the

specific data as backup data into a location that differs from said storage location when

positive judgment results are obtained in both the application judgment step and the

extension judgment step (paragraph [0015]: upon detecting changes to the source data,

copies the source data to a backup data storage location accessed by the host

computer via the Internet; see abstract and paragraph [0022]: upon detecting changes

to the source data, copying the source data to two or more backup data storage

locations).

McBride does not explicitly teach an application registration step for making one

or a plurality of application programs, among application programs to be executed, be

registered by the computer system based on an instruction of an operator; and an extension registration step for making one or a plurality of extensions, among file name extensions associated with application programs to be executed, be registered by the computer system based on an instruction of an operator.

Hugard teaches *an application registration step for making one or a plurality of application programs, among application programs to be executed, be registered by the computer system based on an instruction of an operator* (column 4, lines 33-47: monitoring user-selected files (e.g., application files) upon request by the user); *and an extension registration step for making one or a plurality of extensions, among file name extensions associated with application programs to be executed, be registered by the computer system based on an instruction of an operator* (column 5, lines 27-31: files which have file extensions which are provided by the user as files to be monitored).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of McBride with the teaching of Hugard because it would save the memory or disk drive storage and CPU usage of the computer by monitoring and storing only information about users' selected application programs or files.

As per claim 11, McBride teaches *a new file name is generated by changing, based on a predetermined algorithm, an extension portion included in a file name of data stored into the first storage unit (40) and storing the backup data into the second*

storage unit (70) using the new file name (paragraph [0074]: filenames on the mirror

disk have a revision number placed after the filename and before the extension).

As per claim 12, McBride teaches *a new file name is generated by changing,*

based on a predetermined algorithm, an extension portion included in a file name of

data stored into the first storage unit (40) and storing the backup data into the second

storage unit (70) using the new file name (paragraph [0074]: filenames on the mirror

disk have a revision number placed after the filename and before the extension).

6.   **Claims 5 and 13-17** are rejected under 35 U.S.C. 103(a) as being unpatentable

over McBride in view of Hugard, and further in view of Publication Number

2002/0138504 issued to Yoshihiro Yano et al. ("Yano").

        As per claim 5, McBride and Hugard teach the system to claim 1 as discussed

above. McBride teaches *the second storage unit (70) is arranged from a plurality of data*

storage devices (71, 72, and 73) (see abstract: the two or more backup data storage

locations).

        McBride and Hugard do not explicitly teach a divided storage processing unit

(80), being connected to the plurality of data storage devices via a network, performing

a process of dividing a provided file into a plurality of division files and storing the

division files respectively into different data storage devices, and outputting information

indicating a method of division and indicating data storage devices that became storage

destinations of the respective division files as management information, is furthermore

provided, and when a process of storing backup data into the second storage unit is performed, a file of the backup data is provided to the divided storage processing unit.

Yano teaches *a divided storage processing unit (80), being connected to the plurality of data storage devices via a network* (paragraph [0018] and Figure 1: a distributed data archive device 1), *performing a process of dividing a provided file into a plurality of division files and storing the division files respectively into different data storage devices* (paragraph [0005]: a division means for dividing data to be saved into a plurality of parts), *and outputting information indicating a method of division and indicating data storage devices that became storage destinations of the respective division files as management information, is furthermore provided* (paragraph [0005]: a data management means for recording data-depository information that indicates a depository of the data to be saved and data-saving procedure information that indicates a dividing method of the data to be saved and the like onto the portable recording medium when data-saving is newly carried out), *and when a process of storing backup data into the second storage unit is performed, a file of the backup data is provided to the divided storage processing unit* (paragraph [0056]: the backup of data).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of McBride and Hugard with the teaching of Yano because it would increase the security of the stored data when the data is divided and saved in a plurality of servers (paragraph [0004] from Yano).

As per claim 13, McBride and Hugard teach the system to claim 2 as discussed

above. McBride teaches *the second storage unit (70) is arranged from a plurality of data*

storage devices (71, 72, and 73) (see abstract: the two or more backup data storage

locations).

McBride and Hugard do not explicitly teach a divided storage processing unit

(80), being connected to the plurality of data storage devices via a network, performing

a process of dividing a provided file into a plurality of division files and storing the

division files respectively into different data storage devices, and outputting information

indicating a method of division and indicating data storage devices that became storage

destinations of the respective division files as management information, is furthermore

provided, and when a process of storing backup data into the second storage unit is

performed, a file of the backup data is provided to the divided storage processing unit.

Yano teaches *a divided storage processing unit (80), being connected to the*

plurality of data storage devices via a network (paragraph [0018] and Figure 1: a

distributed data archive device 1), *performing a process of dividing a provided file into a*

plurality of division files and storing the division files respectively into different data

storage devices (paragraph [0005]: a division means for dividing data to be saved into a

plurality of parts), *and outputting information indicating a method of division and*

indicating data storage devices that became storage destinations of the respective

division files as management information, is furthermore provided (paragraph [0005]: a

data management means for recording data-depository information that indicates a

depository of the data to be saved and data-saving procedure information that indicates

a dividing method of the data to be saved and the like onto the portable recording

medium when data-saving is newly carried out), *and when a process of storing backup*

data into the second storage unit is performed, a file of the backup data is provided to

the divided storage processing unit (paragraph [0056]: the backup of data).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the system of McBride and Hugard with the teaching of

Yano because it would increase the security of the stored data when the data is divided

and saved in a plurality of servers (paragraph [0004] from Yano).

As per claim 14, McBride and Hugard teach the system to claim 3 as discussed

above. McBride teaches *the second storage unit (70) is arranged from a plurality of data*

storage devices (71, 72, and 73) (see abstract: the two or more backup data storage

locations).

McBride and Hugard do not explicitly teach a divided storage processing unit

(80), being connected to the plurality of data storage devices via a network, performing

a process of dividing a provided file into a plurality of division files and storing the

division files respectively into different data storage devices, and outputting information

indicating a method of division and indicating data storage devices that became storage

destinations of the respective division files as management information, is furthermore

provided, and when a process of storing backup data into the second storage unit is

performed, a file of the backup data is provided to the divided storage processing unit.

Yano teaches *a divided storage processing unit (80), being connected to the*

plurality of data storage devices via a network (paragraph [0018] and Figure 1: a

distributed data archive device 1), *performing a process of dividing a provided file into a*

plurality of division files and storing the division files respectively into different data

storage devices (paragraph [0005]: a division means for dividing data to be saved into a

plurality of parts), *and outputting information indicating a method of division and*

indicating data storage devices that became storage destinations of the respective

division files as management information, is furthermore provided (paragraph [0005]: a

data management means for recording data-depository information that indicates a

depository of the data to be saved and data-saving procedure information that indicates

a dividing method of the data to be saved and the like onto the portable recording

medium when data-saving is newly carried out), *and when a process of storing backup*

data into the second storage unit is performed, a file of the backup data is provided to

the divided storage processing unit (paragraph [0056]: the backup of data).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the system of McBride and Hugard with the teaching of

Yano because it would increase the security of the stored data when the data is divided

and saved in a plurality of servers (paragraph [0004] from Yano).

As per claim 15, McBride and Hugard teach the system to claim 4 as discussed

above. McBride teaches *the second storage unit (70) is arranged from a plurality of data*

storage devices (71, 72, and 73) (see abstract: the two or more backup data storage

locations).

McBride and Hugard do not explicitly teach a divided storage processing unit

(80), being connected to the plurality of data storage devices via a network, performing

a process of dividing a provided file into a plurality of division files and storing the

division files respectively into different data storage devices, and outputting information

indicating a method of division and indicating data storage devices that became storage

destinations of the respective division files as management information, is furthermore

provided, and when a process of storing backup data into the second storage unit is

performed, a file of the backup data is provided to the divided storage processing unit.

Yano teaches *a divided storage processing unit (80), being connected to the*

plurality of data storage devices via a network (paragraph [0018] and Figure 1: a

distributed data archive device 1), *performing a process of dividing a provided file into a*

plurality of division files and storing the division files respectively into different data

storage devices (paragraph [0005]: a division means for dividing data to be saved into a

plurality of parts), *and outputting information indicating a method of division and*

indicating data storage devices that became storage destinations of the respective

division files as management information, is furthermore provided (paragraph [0005]: a

data management means for recording data-depository information that indicates a

depository of the data to be saved and data-saving procedure information that indicates

a dividing method of the data to be saved and the like onto the portable recording

medium when data-saving is newly carried out), *and when a process of storing backup*

data into the second storage unit is performed, a file of the backup data is provided to

the divided storage processing unit (paragraph [0056]: the backup of data).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the system of McBride and Hugard with the teaching of

Yano because it would increase the security of the stored data when the data is divided

and saved in a plurality of servers (paragraph [0004] from Yano).

As per claim 16, McBride and Hugard teach the system to claim 11 as

discussed above. McBride teaches *the second storage unit (70) is arranged from a*

plurality of data storage devices (71, 72, and 73) (see abstract: the two or more backup

data storage locations).

McBride and Hugard do not explicitly teach a divided storage processing unit

(80), being connected to the plurality of data storage devices via a network, performing

a process of dividing a provided file into a plurality of division files and storing the

division files respectively into different data storage devices, and outputting information

indicating a method of division and indicating data storage devices that became storage

destinations of the respective division files as management information, is furthermore

provided, and when a process of storing backup data into the second storage unit is

performed, a file of the backup data is provided to the divided storage processing unit.

Yano teaches *a divided storage processing unit (80), being connected to the*

plurality of data storage devices via a network (paragraph [0018] and Figure 1: a

distributed data archive device 1), *performing a process of dividing a provided file into a*

plurality of division files and storing the division files respectively into different data

storage devices (paragraph [0005]: a division means for dividing data to be saved into a

plurality of parts), *and outputting information indicating a method of division and*

indicating data storage devices that became storage destinations of the respective

division files as management information, is furthermore provided (paragraph [0005]: a

data management means for recording data-depository information that indicates a

depository of the data to be saved and data-saving procedure information that indicates

a dividing method of the data to be saved and the like onto the portable recording

medium when data-saving is newly carried out), *and when a process of storing backup*

data into the second storage unit is performed, a file of the backup data is provided to

the divided storage processing unit (paragraph [0056]: the backup of data).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the system of McBride and Hugard with the teaching of

Yano because it would increase the security of the stored data when the data is divided

and saved in a plurality of servers (paragraph [0004] from Yano).

As per claim 17, McBride and Hugard teach the system to claim 12 as

discussed above. McBride teaches *the second storage unit (70) is arranged from a*

plurality of data storage devices (71, 72, and 73) (see abstract: the two or more backup

data storage locations).

McBride and Hugard do not explicitly teach a divided storage processing unit

(80), being connected to the plurality of data storage devices via a network, performing

a process of dividing a provided file into a plurality of division files and storing the

division files respectively into different data storage devices, and outputting information

indicating a method of division and indicating data storage devices that became storage

destinations of the respective division files as management information, is furthermore

provided, and when a process of storing backup data into the second storage unit is

performed, a file of the backup data is provided to the divided storage processing unit.

Yano teaches *a divided storage processing unit (80), being connected to the*

plurality of data storage devices via a network (paragraph [0018] and Figure 1: a

distributed data archive device 1), *performing a process of dividing a provided file into a*

plurality of division files and storing the division files respectively into different data

storage devices (paragraph [0005]: a division means for dividing data to be saved into a

plurality of parts), *and outputting information indicating a method of division and*

indicating data storage devices that became storage destinations of the respective

division files as management information, is furthermore provided (paragraph [0005]: a

data management means for recording data-depository information that indicates a

depository of the data to be saved and data-saving procedure information that indicates

a dividing method of the data to be saved and the like onto the portable recording

medium when data-saving is newly carried out), *and when a process of storing backup*

data into the second storage unit is performed, a file of the backup data is provided to

the divided storage processing unit (paragraph [0056]: the backup of data).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the system of McBride and Hugard with the teaching of

Yano because it would increase the security of the stored data when the data is divided

and saved in a plurality of servers (paragraph [0004] from Yano).

Conclusion

7.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

U.S. Patent Number 7,653,915

Contact Information

8.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to PHONG NGUYEN whose telephone number is

(571)270-1766. The examiner can normally be reached on Monday-Friday, 8:30am -

5:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Breene can be reached on 571-272-4107. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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published applications may be obtained from either Private PAIR or Public PAIR.

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Phong Nguyen/
Examiner, Art Unit 2162
September 10, 2010